

the methods prescribed above, with a copy to the Licensing Board Chairman.

E. Availability of Documentary Information Regarding the Proceeding

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the publicly available records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov. It is so ordered.

Dated: January 16, 2003.

For the Atomic Safety and Licensing Board.*

G. Paul Bollwerk, III,

Administrative Judge.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8905]

Notice of Receipt of Mill Demolition Plan for Rio Algom Mining LLC's Ambrosia Lake Uranium Mill Facility, New Mexico, and Opportunity to Provide Comments and to Request a Hearing

I. Introduction

The Nuclear Regulatory Commission (NRC) has received, by letter dated December 10, 2002, a proposed mill demolition plan for the removal of the mill located at Rio Algom Mining Limited Liability Corporation's uranium mill facility at Ambrosia Lake, New Mexico. In accordance with License Condition #29 of NRC Source Materials License, SUA-1473, the mill demolition plan describes the demolition of the structural features associated with the Ambrosia Lake uranium mill facility. The plan addresses the removal of surface structures in preparation for

subsequent implementation of the surface reclamation release phase of the overall site decommission process.

II. Opportunity to Provide Comments

The NRC is providing notice to individuals in the vicinity of the facility that the NRC is in receipt of this request, and will accept comments concerning this action within 30 days of the publication of this notice in the **Federal Register**. The comments may be provided to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room T-6 D59, Two White Flint North, 11545 Rockville Pike, Rockville, MD 20852, from 7:30 a.m. until 4:15 p.m. on Federal workdays.

III. Opportunity to Request a Hearing

The NRC hereby provides notice that this is a proceeding on an application for an amendment of a license falling within the scope of subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Whether or not a person has or intends to provide comments as set out in Section II above, pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within 30 days of the publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary, either:

(1) By delivery to the Rulemaking and Adjudications Staff of the Office of the Secretary of the Commission at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemaking and Adjudications Staff. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101, or by e-mail to hearingdocket@nrc.gov.

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be

served, by delivering it personally or by mail, to:

(1) The applicant, Rio Algom Mining Limited Liability Corporation, 6305 Waterford Blvd., Suite 400, Oklahoma City, OK 73118, Attention: W. Paul Goranson; and

(2) The NRC staff, by delivery to the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Office of the General Counsel, either by means of facsimile transmission to 301-415-3725, or by email to OGCMailCenter@nrc.gov.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);

(3) The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

IV. Further Information

The application for the license amendment and proposed decommissioning and reclamation plan are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> [ADAMS Accession Number ML030070154]. Documents may also be examined and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. Any questions with respect to this action should be referred to Jill Caverly, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington, DC 20555-0001. Telephone: (301) 415-6699, Fax: (301) 415-5390.

Dated at Rockville, Maryland, this 16th day of January 2003.

* Copies of this notice were sent this date by Internet e-mail transmission to counsel for (1) applicant PG&E; (2) petitioners San Luis Obispo Mother For Peace, *et al.*; (3) San Luis Obispo County, California, the Port San Luis Harbor District, the California Energy Commission, the Avila Beach Community Services District, and the Diablo Canyon Independent Safety Committee; and (4) the NRC staff.

For the U.S. Nuclear Regulatory Commission:

Daniel M. Gillen

Chief, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-438 and 50-439]

Tennessee Valley Authority; Bellefonte Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an extension of the Construction Permit No. CPPR-122 for Bellefonte Nuclear Plant (BLN), Unit 1, and CPPR-123 for BLN, Unit 2, issued to the Tennessee Valley Authority (TVA) (permittee). The facility is located about 6 miles east-northeast of Scottsboro, Alabama, on the west shore of the Guntersville Reservoir at Tennessee River Mile 392, in Jackson County, Alabama. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of Proposed Action

The proposed action would extend the construction permit expiration date for BLN, Unit 1, from October 1, 2001, to October 1, 2011, and the construction permit expiration date for BLN, Unit 2, from October 1, 2004, to October 1, 2014. The proposed action is in response to TVA's request, dated July 11, 2001.

The Need for the Proposed Action

The proposed action is needed because construction of BLN, Units 1 and 2, is not yet completed. TVA requested the extension to allow it to maintain the choice of a full range of competitive energy sources. The request was made because of the increase in the electrical demand in the TVA region.

Environmental Impacts of the Proposed Action

The environmental impacts associated with the construction of the facility have been previously discussed and evaluated in the Final Environmental Statement (FES), June 1974, prepared as part of the NRC staff's review of the construction permit application. Because of the passage of time from the issuance of the FES, the staff requested

additional information in a June 5, 2002, letter to TVA to determine if the conclusions reached in the June 1974 FES remain valid. TVA responded to these questions in a letter dated August 26, 2002.

In its August 26, 2002, response, TVA addressed the impact of resumption of construction in the following areas: Archaeological sites and historic properties, disturbance of land, socioeconomic impacts, additional cumulative impacts from other projects in the area, and threatened and endangered species. Highlights of TVA's response follow. TVA stated that no additional archaeological sites have been identified in areas that might be affected by the resumption of construction activities. No future disturbance is currently contemplated on or adjacent to known archaeological sites. The NRC staff asked TVA how they responded to the recommendation by the Alabama Historical Commission on adaptive re-use of the 1845 Tavern and Inn. TVA responded that the building has been removed since 1974 when it was determined that site was eligible for placement on the National Register of Historic Places. The 1845 Tavern and Inn is not on TVA property, and the buildings were removed by the owners. Before construction of the existing site facilities, the Alabama State Historic Preservation Office approved the design and indicated that no mitigation would be required.

Regarding disturbance of land, TVA stated that almost all of the construction required for completion of the BLN site as a two-unit nuclear plant has been started and very few facilities remain that would require new land disturbance. TVA stated that the remaining construction that would require new land disturbance are as follows:

1. If construction resumes, it is planned to eventually move (re-route) the first half mile of the south entrance road such that it would still join Jackson County Highway 33, but to an intersection which is about 1200 feet east of the current connection point. The site has completed an environmental assessment for this change which would improve traffic visibility and thereby increase commuter safety. Some new ground would be disturbed for this road, but there are no associated significant environmental impacts.

2. If construction resumes, some new backfill borrow pits may be required to obtain clay. These would likely be made in undisturbed ground east of the main site power plant buildings. The topsoil would be removed temporarily and replaced to restore the sites after clay removal. Tree cover would be removed in this process.

3. Meteorological monitoring requirements have changed, which might necessitate

construction of a new environmental data station. This new facility could possibly be sited on undisturbed soil.

4. Construction of the startup and recirculation equipment building for Unit 2 has not been initiated; however, the site for this building is disturbed ground very close to the south side of the Unit 2 auxiliary building. Other potential construction activities on disturbed ground include increasing the size of the construction and administration building (CAB); additional fire protection tanks by the CAB; additional waste tanks adjacent to the Unit 1 reactor building; and completion of the auxiliary feedwater pipe trench near the Unit 2 reactor building. The power stores building may be enlarged, and new plant security requirements may necessitate changes to the gatehouse.

The FES evaluated the terrestrial and aquatic impacts due to construction of the BLN, Units 1 and 2. Included in these impacts were development of access corridors (roads), and clearing and excavation for all construction. The FES requires a construction monitoring program to monitor the effect of these activities on the environment. If construction is resumed, these activities will be monitored by the construction monitoring program and, therefore, the conclusions of the FES regarding potential land disturbance remain valid.

The socioeconomic impacts have changed since the 1974 FES was issued. In 1970, the population in the surrounding area was 39,202 and in 2000, the population was 59,926. The 1974 FES estimated a peak workforce of 2,300 people. The actual workforce peaked at 4,600 people prior to construction being suspended in 1988. TVA estimates that the workforce required to complete construction will peak at 4,600. The staff questioned if these changes to the demographics of the region may lead to significant socioeconomic impacts different from those previously evaluated in the FES. Examples of these impacts are demands on the local schools, hospitals, public facilities, utilities (e.g., water use), transportation infrastructure, and construction worker shortages. TVA responded that:

The FES addressed both temporary impacts to community facilities and services which would occur during the construction period and those which would occur from the permanent workforce. Significant impacts were not expected in either case, but the FES concluded that facilities and services such as schools would unavoidably be stressed by construction and operation of BLN. Consequently, TVA committed to monitoring the situation and to working with local and state officials to mitigate any unacceptable adverse conditions which might result.

The currently larger projected construction workforce will likely result in greater